

**REMARKS**

Claim 8 has been amended based on the disclosure at, e.g., pages 55-56 in the present application. Claim 10 has been added based on the disclosure at, e.g., page 5, lines 7-9 in the present application.

Entry of the above amendments is respectfully requested.

**Rejection under 35 U.S.C. 112, Second Paragraph**

On page 2 of the Office Action, in paragraph 3, claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

**The Examiner's Position**

The Examiner indicates that the groups  $R^3$ - $R^8$ ,  $Y^1$ ,  $Y^2$ ,  $Ar^1$ ,  $Ar^2$  and  $Z^a$  of General formula (a) are not defined.

**Applicants' Response**

In response, Applicants have amended claim 8 to recite definitions for  $R^3$ - $R^8$ ,  $Y^1$ ,  $Y^2$ ,  $Ar^1$ ,  $Ar^2$  and  $Z_a$  of General formula (a) based on, e.g., the disclosure bridging pages 55-56.

Accordingly, Applicants submit that the present claims satisfy the requirements of 35 U.S.C. 112, second paragraph, and withdrawal of this rejection is respectfully requested.

**Anticipation Rejection over Leon**

On page 2 of the Office Action, in paragraph 5, claims 1, 3, 5-6, and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Leon et al. (US 6,190,830 B1).

### **The Examiner's Position**

The Examiner's position appears to be basically that the heat-sensitive imaging layer of Leon et al. is coated onto a suitable support and comprises a crosslinked vinyl polymer containing recurring organoonium groups such as organoammonium, organophosphonium, or organosulfonium groups, with the Examiner considering that the crosslinked vinyl polymer meets the present limitations for the onium salt having at least two cation parts. Further, the Examiner indicates that polymers represented by Structure IV contain "Y" and "Z" groups which are derived from ethylenically unsaturated polymerizable monomers, and that when a mixture of polymers is used, the polymer comprising ethylenically unsaturated groups meets the present limitations for the compound having a polymerizable unsaturated group. In addition, the Examiner indicates that the infrared absorbing dyes taught by Leon et al. meet the present limitations for the light-heat converting agent.

### **Applicants' Response**

In response, Applicants submit that Leon does not disclose the compound (B-II) having a polymerizable unsaturated group, as discussed in detail below.

In column 4, lines 51-56 of Leon, it is disclosed that "The heat-sensitive polymers useful in this invention generally can be any of a wide variety of crosslinked vinyl homopolymers and copolymers having the requisite organoonium groups. They are prepared from ethylenically unsaturated polymerizable monomers using any conventional polymerization techniques." (emphasis added).

In column 7, lines 9-14 of Leon, it is disclosed that "Y represents recurring units derived from ethylenically unsaturated polymerizable monomers" and "Z represents recurring units derived from any additional ethylenically unsaturated polymerizable monomers." (emphasis added).

From these disclosures, Applicants submit that it is clear that the polymer of Leon was prepared from ethylenically unsaturated polymerizable monomers and that the polymer itself does not include ethylenically unsaturated groups, since such groups combined with each other during synthesis of the polymers.

Further, Applicants submit that there is no motivation to use a compound having a polymerizable unsaturated group in the image member of Leon.

Thus, Applicants submit that the present invention is not anticipated by (or obvious over) Leon. Accordingly, withdrawal of this rejection is respectfully requested.

### **Objection to Claims 2, 4, and 7**

On page 3 of the Office Action, in paragraph 6, the Examiner has objected to claims 2, 4, and 7 as being dependent upon rejected base claim, but has indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claims 2, 4, and 7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Based on the foregoing remarks, Applicants submit that claim 1, the claim

AMENDMENT UNDER 37 C.F.R. § 1.111  
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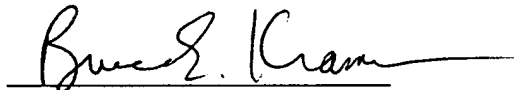
upon which claims 2, 4, and 7 directly or indirectly depend, is allowable as well, and thus withdrawal of this objection is respectfully requested.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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